

Revision of Fees and Allowances
payable to the Law Officers and
Panel Counsel in the State of
Maharashtra

Government of Maharashtra

Law and Judiciary Department

Government Resolution No.: Meeting 2011 /(249)/D-14

Mantralaya, Madam Cama Road,
Hutatma Rajguru Chowk, Mumbai 400032

Date: 11th October, 2013.

Resolution

The question of revision of the fees payable to Law Officers in the State of Maharashtra as prescribed by the Maharashtra Law Officers (Appointment, Conditions of Service and Remuneration) Rules, 1984 (as amended by Government from time to time) was under consideration of Government.

Now, the Government is pleased to revise the rates of fees payable to various Law Officers as shown in the Statements A, B, C, D, E, F, G, H, I and J appended herewith.

2. The revised rates of fees shall be applicable with effect from 1st November, 2013.

3. The Expenditure involved on Account of revision of fees shall be debited to the budget head "Demand No.J-1, 2014-Administration of Justice (voted), (00)114- Legal Advisers and Counsels, (00)(01) Legal Advisers and Counsels, City Officers (2014 029 9),(00)(02) Mofussil Officer (2014 030 5) (28) professional and special services" and shall be met from the sanctioned grants.

4. This Resolution is being issued in supersession of the earlier Government Resolution, Law and Judiciary Department, No.DGP 2806/M.S.129(42)-XIV, dated 16th January, 2008 and subsequent Corrigendum issued in this regard.

5. Apart from the Notes prescribed below the Statements A to J appended to this Government Resolution, the terms and conditions prescribed in Maharashtra Law Officers (Appointment, Conditions of Service and Remuneration) Rules, 1984 and the Rules for the Conduct of Legal Affairs of Government, 1984, shall be applicable.

6. In addition to the documents prescribed in Maharashtra Law Officer Rules, 1984 (Rule No. 133 to 143), for Supreme Court, High court and MAT Law Officers, while claiming the fees, Certified copy or self-attested copies of Judgment/ Order obtained from

website of Supreme Court / High Court /MAT be submitted for verification and necessary approval.

In support of showing presence on the particular date of effective/ non effective hearing the copy of order / Roznama obtained from website of Supreme Court / High Court /MAT be submitted with bill for verification and necessary approval. While claiming charges for drafting the copy of plaint/ written statement/appeal memo/ petition/affidavit in reply/application etc. self-attested true copy of the same be produced along with bill for verification and necessary approval.

While claiming bill for conduct of session trial, criminal appeal, revision , criminal bail application the concerned PP or Addl. PP working in session court shall provide certified copy /self-attested true copy of judgment/order as case may be while claiming bill for cases conducted by him/herself and finally disposed off.

While in claiming fees in civil proceedings the concerned D.G.P./ A.G.P. shall produce the certified copy of judgment/order as the case may be in which he/she appeared and case finally disposed off.

7. If any doubt or difficulty arises as to any of the provisions of this Government Resolution, the decision of Government in the Law and Judiciary Department in respect thereof shall be final and binding on all Law Officers.

8. This resolution is issued with the concurrence of the Finance Department; vide its unofficial reference No.518/13, dated 20.9.2013.

This Government resolution of Maharashtra Government is available at the website www.maharashtra.gov.in. Reference no. for this is 201310141706169212. This order has been signed digitally.

By order and in the name of the Governor of Maharashtra.

(V.L. Achliya)

Principal Secretary & Remembrance of Legal Affairs

Copy forwarded to:

1. The Advocate General, Maharashtra State, Mumbai (by letter)

2. The Associate Advocate General, Maharashtra State, Mumbai (by letter),
3. The Registrar General, High Court, Mumbai (by letter 3 copies),
4. The Prothonotary and Senior Master, High Court (OS), Mumbai (by letter,
5. The Registrar, High Court of Mumbai Bench at Nagpur (3 copies)
6. The Registrar, High Court of Mumbai Bench at Aurangabad (3 copies)
7. The Registrar, Maharashtra Administrative Tribunal, Mumbai/Aurangabad/ Nagpur
8. The Finance Department (Desk-EXP-VI)
9. The Joint Director, Accounts and Treasuries computer Section, 5th floor, New
10. Administrative Building In front of Mantralaya, Mumbai
11. The Accountant General, Maharashtra-I, (Accounts & Entitlement), Mumbai (3 copies)
12. The Accountant General, Maharashtra-I (Audit), Mumbai (3 copies)
13. The Accountant General, Maharashtra-II (Accounts & Entitlement), Nagpur (3 copies)
14. The Accountant General, Maharashtra-II (Audit), Nagpur (3 copies)
15. The pay and Accounts Officer, Mumbai
16. The Resident Audit Officer, Mumbai (in duplicate)
17. The Government Pleader, Small Causes Court, Mumbai (3 copies)
18. The Resident Audit Officer, Mumbai (in duplicate)
19. The Government Pleader, Small Causes Court, Mumbai (3 copies)
20. The Government Pleader and Public Prosecutor, High Court (A.S.) (Writ Cell), Mumbai (3 copies)
21. The Government Pleader and Public Prosecutor, High Court Mumbai, Bench at
22. Aurangabad/ Nagpur (3 copies each)
23. The Government Pleader, High Court (Original Side), Mumbai (3 copies)
24. The Government Pleader, High Court (Appellate Side), Mumbai (3 copies)
25. The Public Prosecutor for Sessions Court, Greater Mumbai, Mumbai (3copies)
26. The Government Pleader, City Civil Court, Mumbai (3 copies)
27. All the District Government Pleaders and Public Prosecutors at District Headquarters
28. The Chief Presenting Officer, Maharashtra Administrative Tribunal, Mumbai, Aurangabad
29. & Nagpur (3 copies each)
30. The Joint Secretary to Government, Law and Judiciary Department, Old Secretariat
31. Building, Civil Lines, Nagpur 440001.
32. The Joint Secretary to Government, Law and Judiciary Department, District Court
33. Compound, Adalat Road, Aurangabad 431 001.
34. All the Divisional Commissioners

35. All the Collector and District Magistrates
36. All the District and Session Judges
37. All the Treasury Officers
38. All the Departments of Mantralaya
39. Desk XVIII, A, E, M, Branch of the Law and Judiciary Department (3 copies each to all)
40. PS to Hon. Chief Minister, Maharashtra State
41. PS to Hon. Deputy Chief Minister, Maharashtra State
42. PS to Hon. State Minister, Law and Judiciary, Maharashtra State
43. Select file

STATEMENT 'A'

REVISED FEES FOR ADVOCATE GENERAL & ASSOCIATE ADVOCATE GENERAL

| | | Revised Fees (Rs.) | |
|-----------------------|---|-------------------------------|-----------------------------------|
| Nature of Case | | Advocate General | Asso. Advocate General |
| 1. | <u>Civil cases, High Court (Original Side)-</u> | | |
| | (a) Long Cause Suite:- | | |
| | (i) Brief to settle draft plaint | 3000/- | 1500/- |
| | (ii) Brief to settle written statement | 2000/- | 1000/- |
| | (iii) Brief for hearing and final disposal per day | 10000/- | 7500/- |
| | (b) Writ Petitions :- | | |
| | (i) Brief to settle draft petition | 3000/- | 2000/- |
| | (ii) Brief to settle draft affidavit | 2500/- | 1500/- |
| | (iii) Brief for hearing and final disposal per day | 15000/- | 7500/- |
| | (iv) Hearing of Notice of Admission per day | 7500/- | 10000/- |
| | I Appeals in the High Court :- | | |
| | (i) Brief to settle draft memorandum of appeal | 2500/- | 1500/- |
| | (ii) Brief for hearing and final disposal per day | 15000/- | 7500/- |
| | (iii) Brief to settle draft petition for leave to appeal to the Supreme Court | 2500/- | 1500/- |
| | (iv) Brief for hearing of petition for leave to appeal to the Supreme Court | 10000/- | 7500/- |
| | (d) Sales Tax, Land Acquisition and Stamp References :- | | |
| | Brief for hearing and final disposal per day | 10000/- | 7500/- |
| 2. | Civil Writ Petition, High Court (Appellate Side) :- | | |
| | a) Brief for final hearing of petition per day | 10000/- | 7500/- |
| | b) Brief to oppose petition on admission | 15000/- | 10000/- |
| | c) Brief to settle petition, affidavit in reply rejoinder or any other pleading | 2500/- | 2000/- |
| | d) Brief of hearing of petition for leave to appeal to the Supreme Court | 10000/- | 7500/- |
| 3. | Criminal cases or appeals in the High Court :- | | |
| | a) At the admission stage per day | 7500/- | 5000/- |
| | b) For final hearing per day | 15000/- | 10000/- |
| 4. | For Conference :- | | |
| | a) For first half an hour | 2500/- | 1500/- |
| | b) And thereafter for every half an hour | 1250/- | 750/- |
| | Retainer | 30,000/- | 20,000/- |

Note 1:- The rates of the fees under clauses (1), (2) and (3) for the Conduct of Civil and Criminal Cases on the Original and Appellate Side of the High Court of judicature at Bombay and its Benches at Nagpur and Aurangabad, shall be payable to the Advocate General and Associate Advocate General subject to the condition that, if two or more cases are conducted during a day, not more than Rs.30,000/- and Rs.20,000/- per day respectively irrespective of the number of cases conducted by them during that day.

Note 2:- In case of group matters where the matters are decided by common judgment the only one set of fees shall be payable.

STATEMENT 'B'

REVISED FEES PAYABLE TO CHIEF PRESENTING OFFICER AND PRESENTING OFFICERS OF THE MAHARASHTRA STATE ADMINISTRATIVE TRIBUNAL AT MUMBAI, NAGPUR AND AURANGABAD

| | | Revised Fees (Rs.) | |
|---------------|---|--------------------------------------|--------------------------------------|
| Sr.No. | Nature of Work | CPO | PO |
| 1. | Settlement of Drafts/Petitions Affidavit/Counter Affidavit/Applications etc | 600/- | 500/- |
| 2. | Hearing of notice of admission per case (for effective hearing). | 1250/- | 1000/- |
| 3. | Brief for Hearing and final disposal per day (for effective hearing). | 1500/- (maximum up to 3 hearings) | 1250/- (maximum up to 3 hearings) |
| 4. | Brief to oppose admission of petition for leave or application for interim stay or injunction (per case). | 1200/- | 1000/- |
| 5. | Adjournment without previous intimation. | 250/- | 200/- |
| 6. | Drafting of Caveat. (per case). | 500/- | 400/- |
| 7. | All other applications / petitions not specifically covered under clauses (1) to (6) above. | 400/- | 300/- |

Note 1.:- The rates of the fees under clauses (1)to (7) above for the Conduct of Cases before Maharashtra Administrative Tribunal at Bombay and its Benches at Nagpur and Aurangabad, shall be payable to the Chief Presenting Officer and Presenting Officers, subject to the condition that if two or more cases are conducted during a day not more than Rs. 4000/- for Chief Presenting Officer and Rs. 3000/- for Presenting Officer; irrespective of the number of cases conducted by them during that day.

Note 2.:- In the case of group matters or similar matters, where the matters are decided by the one common Judgment, the Chief Presenting Officer and the Presenting Officer shall be entitled to only one set of fees.

Note 3.:- In all group matters or similar matters, the Chief Presenting Officer at Bombay, Nagpur and Aurangabad shall engage only one and the same CPO/PO.

Note 4 :- The fees to be charged as mentioned above is in respect of effective hearings.

Note 5 :- The fees to be charged for non-effective hearings will be at the rate of 25% of maximum amount chargeable for effective hearings or Rs. 250/- whichever is less.

Note 6 :- The effective hearing (for admission and final hearing) means, if matter is disposed, dismissed, rejected, rule made absolute, allowed to be withdrawn after hearing, allowed/granted, part heard, notice before admission, issue notice, rule, interim order/relief.

Note 7 :- There will be a monthly ceiling of Rs. 65,000/- for Chief presenting Officer and Rs.60,000/- for presenting Officer. The monthly ceiling will not cover the fees payable for drafting and retainer fee.

STATEMENT ‘C’

STATEMENT SHOWING REVISED FEES FOR GOVERNMENT PLEADER / ‘A’ PANEL COUNSEL / ADDITIONAL GOVERNMENT PLEADER AND ASSISTANT GOVERNMENT PLEADER / ‘B’ PANEL COUNSEL IN THE HIGH COURT (ORIGINAL SIDE), (APPELLATE SIDE), MUMBAI AND ITS BENCHES AT NAGPUR AND AURANGABAD

| Sr No | Nature of Civil Cases | Government Pleader/Additional Government Pleader /‘A’ Panel counsel Revised Fees (Rs.) | Assistant Government. Pleader/ /‘B’ Panel counsel Revised fees (Rs.) |
|-------|--|--|--|
| 1 | 2 | 3 | 4 |
| 1. | <u>Long Cause Suits</u> | | |
| | (1) Brief to draw plaint | 1000/- | 600/- |
| | (2) Brief to draw written statement | 800/- | 600/- |
| | (3) Brief to apply for directions | 500/- | 400/- |
| | (4) Brief for adjournment | 250/- | 200/- |
| | (5) Brief for hearing & final disposal (per day) | 2500/- (maximum upto 3 hearings) | 1500/- (maximum upto 3 hearings) |
| | (6) Brief to hear judgment, (when it is kept for C.A.V.) | 300/- | 200/- |
| 2. | <u>Writ Petitions</u> | | |
| | (1) Brief to draw petition | 1000/- | 800/- |
| | (2) Brief to draft affidavit | 750/- | 600/- |
| | (3) Brief for adjournment | 250/- | 200/- |
| | (3) Brief for hearing & final disposal (per day) | 2500/- (maximum upto 3 hearings) | 1000/- (maximum upto 3 hearings) |
| | (4) Brief to hear judgment (when it is kept C.A.V.) | 300/- | 200/- |
| | (5) Hearing of notice of admission, (per case) | 1250/- | 750/- |
| | (6) Brief for appearance in applications made for direction of the court. | 500/- | 350/- |
| | (7) To submit to the orders of the Court | 250/- | 250/- |
| 3. | <u>Appeals in the High Court</u> | | |
| | (1) Brief to settle draft memorandum of appeal | 800/- | 650/- |
| | (2) Brief for hearing and final disposal (per day) | 2000/- (maximum upto-3 hearings) | 1500/- (maximum upto 3 hearings) |
| | (3) Brief to draft / settle petition for leave to appeal to the Supreme Court (per case) | 800/- | 650/- |
| | (4) Brief to hear judgment, (when it is kept C.A.V.) | 300/- | 200/- |

| | | | |
|-----------|---|-------------------------------------|-------------------------------------|
| | (5) Brief to draft statement of case for filing appeal in Supreme Court. | 1000/- | 750/- |
| 4. | <u>Interlocutory proceedings</u> | | |
| | (1) Brief for hearing of Notice of Motion (per case) | 1000/- | 850/- |
| | (2) Brief for hearing chamber summons (per case) | 350/- | 250/- |
| | (3) Brief for adjournment | 200/- | 150/- |
| 5. | <u>Sales Tax, Land Acquisition and Stamp References</u> | | |
| | (1) Brief for hearing and final disposal (per day) | 2000/- (maximum upto 3 hearings) | 1500/- (maximum upto-3 hearings) |
| | (2) Brief for adjournment | 200/- | 150/- |
| 6. | <u>Applications under sub-section (i) of sec.61 of the Bombay Sales Tax Act, 1959</u> | | |
| | (1) Brief to draft or settle the application | 800/- | 600/- |
| | (2) For hearing of the application and final disposal per day for effective hearing. <i>Note 1 :- The brief for appearance at the time of hearing should be entrusted to only one law officer.</i> <i>Note 2 :- No separate fees shall be claimed by law officers for adjournments.</i> | 1000/- (maximum upto-3 hearings) | 800/- (maximum upto 3 hearings) |
| 7. | <u>Company petitions</u> | | |
| | (1) Brief to draw or settle petitions | 800/- | 600/- |
| | (2) Brief to draw or settle Affidavit | 750/- | 600/- |
| | (3) Brief for hearing & final disposal (per day) | 2000/- (maximum upto 3 hearings) | 1200/- (maximum upto 3 hearings) |
| | (4) Hearing of notice of admission (per case) | 1000/- (maximum upto3 hearings) | 750/- (maximum upto-3 hearings) |
| 8. | <u>Arbitration proceedings</u> | | |
| | (1) Brief to draw or settle written statement or any other pleadings (per case) | 800/- | 600/- |
| | (2) To apply or oppose application for interim injunction (per case). | 1200/- (maximum upto 3 hearings) | 800/- (maximum upto 3 hearings) |
| | (3) Hearing of Chamber Summon per case. | 750/-(maximum upto 3 hearings) | 500/- (maximum upto 3 hearings) |
| | (4) Brief for hearing & final disposal (per day) | 2000/- (maximum upto 3 hearings) | 1200/- (maximum upto 3 hearings) |
| | (5) To obtain direction (per case). | 500/- | 350/- |
| 9. | <u>Miscellaneous petitions.</u> | | |
| | (a) Claims to be filed before Official Assignee. | | |
| | (i) For adjournment | 100/- | 100/- |
| | (ii) To submit to the orders of the court. | 200/- | 150/- |
| | (iii) Consent for withdrawal of the petition | 100/- | 100/- |
| | (iv) To appear and obtain leave of the court to attach the monies lying with court | 400/- | 300/- |

| | | |
|--|-------|-------|
| receiver. | | |
| (v) For hearing and final disposal | 750/- | 600/- |
| (vi) To settle draft memorandum of appeal | 400/- | 300/- |
| <i>Note 1.:- The fees in Appeals filed therefrom, the Law Officer will get the same rate of the fees as prescribed above for adjournment and appearance etc.</i> | | |
| (b) Claims before Official Liquidator | | |
| (i) For drafting affidavit in support of the claims | 750/- | 600/- |
| (ii) For hearing and final disposal (per case) | 750/- | 600/- |
| (c) Matters before Taxing master under Bombay Court Fees Act, 1959 | | |
| (i) For appearance and hearing before Taxing Master (per case). | 500/- | 400/- |
| (d) Testamentary or Intestate Jurisdiction matters | | |
| (i) For hearing and final disposal (per case). | 750/- | 600/- |
| (ii) To settle draft affidavit | 500/- | 350/- |
| (e) Adoption Petition matters : | | |
| (1) Brief for hearing and final disposal (per case) | 750/- | 500/- |

Note 1.:- In above Miscellaneous Petitions, Government Pleader, High Court (Original Side) at Bombay shall engage 'A' Panel Counsel only exceptional case and that too after obtaining in that behalf, prior approval in writing of the Remembrancer of Legal Affairs. In such an event 'A' Panel Counsel so appointed shall alone conduct the case and no 'B' Panel Counsel shall be engaged to assist the 'A' Panel Counsel.

Note 2.:- In all group matters or similar matters, the Government Pleader, High Court (Original Side) at Bombay shall engage and entrust the brief to only one Additional Govt. Pleader/ Asstt. Govt. Pleader.

Note 3.:- In all group matters for appearing and conducting of cases on behalf of more than one Government Department and / or its officers; only one set of fees will be admissible & only one Addl. Govt. Pleader/ Asstt. Govt. Pleader shall be engaged in such cases to represent all the Departments of Government or officers. Except the fees prescribed above, Law Officer shall not be entitled to charge separate fees to any Government Department or its Officers.

Note 4.:- The above prescribed rates of fees shall be payable subject to the condition that, if two or more cases are conducted during a day not more than Rs. 4,500/- per day shall be payable to Government Pleader / A Panel Counsel, not more than Rs. 4,000/- per day shall be payable to the Additional Government Pleader and not more than Rs. 3,500/- per day shall be payable to the Assistant Government Pleader, irrespective of the number of cases conducted by them during that day. All the AGP / APP shall conduct such number of cases as assigned to them by GP/PP. Refusal to conduct the case entrusted by GP/PP will be treated as serious misconduct.

Note 5:- No separate fees shall be charged or claimed by GP/PP, Addl.GP/Addl.PP and Assistant GP/Addl.PP for conference and opinion.

Note 6 :- The fees to be charged as mentioned above shall be payable only in respect of cases in which effective hearing has taken place.

Note 7 :- The fees to be charged for non-effective hearings will be at the rate of 25% of maximum amount chargeable for effective hearings or Rs. 250/- whichever is less.

Note 8 :- The effective hearing (for admission and final hearing) means, if matter is disposed, dismissed, rejected, rule made absolute, allowed to be withdrawn after hearing, allowed/granted, part heard, notice before admission, issue notice, rule, interim order/relief.

Note 9:- There will be a monthly ceiling of Rs. 80,000/- for Govt. Pleader & PP, Rs. 70000/- for Addl.GP & A.PP and Rs. 60,000/- for Asstt.GP & Addl.PP. The monthly ceiling will not cover the fees payable for drafting and retainer fee. .

**II. REVISED FEES FOR GOVERNMENT PLEADER/ 'A' PANEL COUNSEL /
ADDITIONAL GOVERNMENT PLEADER, ASSISTANT GOVERNMENT PLEADER / 'B'
PANEL COUNSEL IN THE HIGH COURT (APPELLATE SIDE) WRIT CELL, MUMBAI).**

| Nature of case | | Government Pleader/ Additional Government Pleader & 'A' Panel Counsel Revised Fees (Rs.) | Asstt. Govt. Pleader & 'B' Panel Counsel Revised fees (Rs.) |
|----------------|--|---|---|
| 1 | 2 | 3 | 4 |
| | <u>Civil Writ Petition</u> | | |
| (a) | Brief for hearing & final disposal (per day). | 2000 (maximum upto 3 hearings) | 1250 (maximum upto 3 hearings) |
| (b) | Brief to oppose petition on admission (per day) | 1250 (maximum upto 3 hearings) | 850 (maximum upto 3 hearings) |
| (c) | (i) Brief to draw petition (per case). | 1200 | 1000 |
| | (ii) Affidavit in reply to petition | 750 | 600 |
| | (iii) Drafting of civil application for stay and other interim relief, rejoinder, reply to contempt petition and all other applications or affidavits not specifically covered by clause (c) (i) and (ii) above. | 750 | 500 |
| (d) | Brief for hearing of the petition for leave to appeal to the Supreme Court or to oppose the stay application | 1000 | 750 |

Note 1:- In all group matters for appearing and conducting of cases on behalf of more than one Government Department and / or its officers; only one set of fees will be admissible. Except the fees prescribed above, Law Officer shall not be entitled to charge separate fees to any Government Department or its Officers. Only one Law Officer will be engaged to represent all the departments of Government or officers as the case may be.

Note 2:- The above prescribed rates of fees shall be payable subject to the condition that, if two or more cases are conducted during a day not more than Rs. 4,500/- per day shall be payable to Government Pleader / A Panel Counsel, not more than Rs. 4,000/- per day shall be payable to the Additional Government Pleader and not more than Rs. 3,500/- per day shall be payable to the Assistant Government Pleader, irrespective of the number of cases conducted by them during that day. All the AGP / APP shall conduct such number of cases as assigned to them by GP/PP. Refusal to conduct the case entrusted by GP/PP will be treated as serious misconduct.

Note 3:- No separate fees shall be charged or claimed by GP/PP, Addl.GP/Addl.PP and Assistant GP/Addl.PP for conference.

Note 4 :- The fees to be charged as mentioned above shall be payable only in respect of cases in which effective hearing has taken place.

Note 5:- The fees to be charged for non-effective hearings will be at the rate of 25% of maximum amount chargeable for effective hearings or Rs. 250/- whichever is less.

Note 6 :- The effective hearing (for admission and final hearing) means, if matter is disposed, dismissed, rejected, rule made absolute, allowed to be withdrawn after hearing, allowed/granted, part heard, notice before admission, issue notice, rule, interim order/relief.

Note 7:- There will be a monthly ceiling of Rs. 80,000/- for Govt. Pleader & PP, Rs. 70000/- for Addl.GP & A.PP and Rs. 60,000/- for Asstt.GP & Addl.PP. The monthly ceiling will not cover the fees payable for drafting and retainer fee.

STATEMENT 'D'

REVISED FEES FOR GOVERNMENT PLEADER AND PUBLIC PROSECUTOR, ASSISTANT GOVERNMENT PLEADER AND ADDITIONAL PUBLIC PROSECUTOR, IN HIGH COURT (APPELLATE SIDE), MUMBAI AND ITS BENCHES AT NAGPUR AND AURANGABAD

| I. | <u>Civil Cases :-</u> | Revised Fees (Rs.) |
|-----------|--|---|
| | <p>In all Civil cases or Proceedings.</p> <p>(a) For appearance in appeal in land acquisition cases.</p> <p>Brief for hearing and final disposal ;</p> <p>(i) For the Govt. Pleader and Additional Govt. Pleader; Provided that, if two or more cases are conducted during a day Rs. 4000 per day shall be payable to him irrespective of the number of cases conducted by him during that day.</p> <p>(ii) Assistant Government Pleader ; Provided that, if two or more cases are conducted during a day Rs. 3500/- per day shall be payable to him irrespective of the number of cases conducted by him during that day.</p> | <p>As per Rule 17(A) of L.O.R. 1984 subject to maximum Rs.25,000/- whichever is less.</p> <p>2500 per day (with maximum upto 2 effective hearings)</p> <p>1750/- per day (with maximum upto 2 effective hearings)</p> |
| (b) | For appearance in any case in the Court in which he is directed to appear by any District Judge in support of an order imposing a fine, on or directing the arrest of a witness under the provisions of the Code of Civil Procedure. | 750/- per case |
| (c) | For appearance at the admission stage in civil appeal or revision application or in any other proceedings. | 400/- per case |
| (d) | For appearance on behalf of the State in application by indigent persons made under Order XXXIII, rule 2 or Order XLIV, rule 1 or the Code of Civil Procedure - | |
| | (i) If application is to be opposed or contested. | 750/- per case |
| | (ii) If the appearance is for submitting to the orders of court | 250/- per case |
| II | <u>In all Criminal Cases –</u> | |
| (a) | In all Criminal Cases or Appeals - | |
| | (i) At the admission stage - | G.P. & P.P. - 1250 /- per case Addl.G.P. & Addl.P.P. - 1000/- per case Asst.G.P. & Addl.P.P. - 850/- per case |

| | | |
|-----|---|--|
| | <p>(ii) For final hearing (other than confirmation cases) in an appeal arising out of judgment and order of acquittal or conviction passed by Sessions Court or Special Court dealing with ACB matters/ NDPS matters. (irrespective of the number of accused involved). Provided that, if two or more cases are conducted during day, not more than Rs.5000 shall be payable to the G.P. & Public Prosecutor and not more than Rs.4000 shall be payable to the Addl. G.P. & Additional Public Prosecutor, and Rs. 3500 shall be payable to Asstt.GP and Addl.PP irrespective of the number of cases conducted by him/her during that day.</p> <p>(iii) For final hearing {other than confirmation cases & included in category a (ii)} in an appeal arising out of judgment and order of acquittal or conviction passed by Magistrate Court (irrespective of the number of accused involved). Provided that, if two or more cases are conducted during day, not more than Rs.3000 shall be payable to the G.P. & Public Prosecutor and not more than Rs.2500 shall be payable to the Addl. G.P. & Additional Public Prosecutor, and Rs. 2000 shall be payable to Asstt.GP and Addl.PP irrespective of the number of cases conducted by him/her during that day.</p> <p>(iv) Final hearing in confirmation case.</p> | <p>G.P. & P.P. - 2500/- per case Addl.G.P. & Addl.P.P - 2000/- per case Asst.G.P. & Addl.P.P. - 1750/- per case</p> <p>G.P. & P.P. - 1500/- per case Addl.G.P. & Addl.P.P - 1250/- per case Asst.G.P. & Addl.P.P. - 1000/- per case</p> <p>i) Rs.4000/- per day (for effective hearing of case, subject to maximum 5 dates of effective hearing in confirmation case only). ii) Rs. 500/- per day (for non-effective hearing in confirmation case only).</p> |
| (b) | <p>Criminal Revisions / Applications / Appeals:-</p> <p>(i) Criminal Revision Applications / Petitions arising out of orders passed under sec. 125 Cr.P.C. or order of maintenance passed under</p> | <p>250/- per case for admission as well as final hearing irrespective of dates of hearings.</p> |

| | | |
|-----|---|---|
| | <p>D.V. Act or any other law. The orders passed under D.V. Act, Negotiable Instrument Act, Restoration Application, Applications relating to Union of India and all other proceedings in which the State Government is a formal party.</p> <p>(ii) Criminal Revisions filed by the State Govt. or filed against the State Govt. in which the State Govt. is necessary party and likely to be affected by the orders passed in such revision application.</p> <p>(iii) Application filed under sec. 482 of Cr.P.C. in which State Govt. is necessary party and the Petitioner / Applicant claimed quashing of proceedings.</p> <p>(iv) Contempt Petition against Govt. officers (irrespective of number of officers involved).</p> | <p>1000/- per case</p> <p>1500/- per case</p> <p>1500/- per case</p> |
| (c) | <p>In Bail matters :</p> <p>(i) Application for regular Bail and Anticipatory Bail matters :-</p> <p>(a) Drafting of Affidavit opposing the Bail application.</p> <p>(b) Final hearing of Application for regular bail or anticipatory bail.</p> <p>(c) Application for transfer or any other application for which fees is not specifically prescribed.</p> | <p>350/- per case. (irrespective of accused involved)</p> <p>600/- per case / application. (irrespective of number of hearings and accused involved).</p> <p>500/- per case</p> |
| (d) | <p>In detention cases under COFEPOSA and other similar Acts and Ordinances –</p> <p>(i) For the Public Prosecutor. Provided that, if two or more such cases are conducted during a day, not more than Rs.4500/- per day shall be payable, irrespective of the number of cases conducted by him during that day.</p> <p>(ii) For the Additional Public Prosecutor. Provided that, if two or more cases are conducted during a day, not more than Rs.3500 per day shall be payable to him, irrespective of the number of cases conducted by him during that day.</p> | <p>2500/- Per day (maximum upto 2 effective hearings)</p> <p>1750/- per day (maximum upto 2 effective hearings)</p> |

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| | (ii) (a) For drafting of affidavit in COFEPOSA or other detention matters. | 750/- per case |
| | (b) For drafting of affidavit in externment matters. | 750/- per case |
| (e) | In detention matters to be filed in the Supreme Court;-- For drafting affidavit (inclusive of conference fees for the Government Pleader and Additional Public Prosecutor). | 1000/- per case |
| (f) | For consultation by the Remembrancer of Legal Affairs or the Public Prosecutor in the subordinate court or the Home Department as regards filing of appeal or any other application in the High Court at Mumbai or its Benches at Nagpur and Aurangabad against the decision of any Criminal Court. | 250/- per case |
| III. In Civil and Criminal Cases | | |
| (a) | For drafting and settling of affidavits. | 500/- per case |
| (b) | For drafting of memorandum of appeal or revision application - | 600/- per case (for drafting appeal memo along with application for interim relief /stay) 400/- per case (for drafting revision memo along with application for interim relief /stay) |
| (c) | For appearance in a case before subordinate court at the Headquarters or in the mofussil and in the Maharashtra Revenue Tribunal with the written instructions and prior approval of Principal Secretary and R.L.A. for official work :- (i) For every day of absence from the headquarters for Government Pleader and Public Prosecutor or the Additional Government Pleader and Additional Public Prosecutor. (ii) For every day of absence from the headquarters for the Assistant Government Pleader and Additional Public Prosecutor. | 2000/- 1500/- |
| (d) | For formal appearance in a case i.e. submitting to the orders of court in which no Government interest is involved or where a record of a case or list of witnesses etc. is to be filed. | 250/- per case |

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| (e) | For appearance in a case for which no fee has been prescribed by Government in the Law and Judiciary Department or tax by the Court in the Bill of Costs. | 500/- per case |
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Note 1 :- The rates of fees, under clauses (I), (II) and (III) for the conduct of civil and criminal cases, shall be payable subject to the condition that, if two or more cases are conducted during a day; not more than Rs. 4,500/- per day shall be payable to Government Pleader and Public Prosecutor Rs. 4000 to the Additional Government Pleader and Additional Public Prosecutor and not more than Rs. 3,500/- per day shall be payable to the Assistant Government Pleader and Additional Public Prosecutor, irrespective of the fact whether he/she conduct civil or criminal cases during that day, except the confirmation case. All the AGP / APP shall conduct such number of cases as assigned to them by GP/PP. Refusal to conduct the case entrusted by GP/PP will be treated as serious misconduct.

Note 2 :- No separate fees for conference and opinion etc. shall be payable to Law officers.

Note 3:- In all group matters and / or for appearing and conducting of cases on behalf of more than one Government Department and / or its officers; only one set of fees will be admissible. Except the fees prescribed above, Law Officer shall not be entitled to charge separate fees to any Government Department or its Officers.

Note 4:- The fees to be charged as mentioned above shall be payable only in respect of cases in which effective hearing has taken place.

Note 5:- The effective hearing (for admission and final hearing) means, if matter is disposed, dismissed, rejected, rule made absolute, allowed to be withdrawn after hearing, allowed/granted, part heard, notice before admission, issue notice, rule, interim order/relief.

Note 6 :- The fees to be charged for non-effective hearings will be at the rate of 25% of maximum amount chargeable for effective hearings or Rs. 250/- whichever is less.

Note 7 :- There will be a monthly ceiling of Rs. 80,000/- for GP & PP, Rs. 70000/- for Addl.GP & Addl.PP and Rs. 60,000/- for Asstt.GP & Addl.PP. The monthly ceiling will not cover the fees payable in confirmation cases and the fees admissible for drafting and retainer fee.

STATEMENT 'E'

REVISED FEES FOR DISTRICT GOVERNMENT PLEADER AND PUBLIC PROSECUTORS, ASSISTANT GOVERNMENT PLEADER AND ADDITIONAL PUBLIC PROSECUTORS, PUBLIC PROSECUTORS IN MUFUSIL DISTRICTS (OTHER THAN MUMBAI)

| Sr. no. | Nature of case | Revised Fees (Rs.) |
|---------|---|---|
| (I) | In All Civil Cases : | |
| (a) | Suits and Appeals decided on merits, in which suit or appeal is basically for and against Govt. and effective reliefs is claimed in such proceedings. | As per Rule 24 (1) (A) r/w Rule 28 of L.O.R. Fees actually taxed by the concerned court in the bill of cost, subject to maximum of Rs.25,000/-. <i>Note1:- The fees as above shall be payable only in a case where the main relief claimed in suit is against Govt.</i> <i>Note 2 :- In civil suit as well as in appeal wherein the Govt. is formal party and no effective relief is sought against the Govt. the fixed sum of Rs. 500 shall be payable as a fees to law officer irrespective of valuation of the suit and appeal.</i> |
| (b) | Suits and appeals decided on merit in which the Govt. is a formal or proper party and no effective relief is claimed against the Govt. | 500/-per case for final disposal |
| (c) | Suit for injunction for and against Government; wherein Govt. is main party to proceedings and effective relief is claimed against Government. | 1500/-per case for final disposal (Irrespective of Valuation of suit) |
| (d) | The fees for opposing application by indigent persons. | 500/-per case |
| (e) | Filing appearance and submitting to orders of Court. | 250/-per case |
| (f) | Cases under section 19 of the Indian Forests Act, 1927 | 750/- per case |
| (g) | Drafting charges : | |
| | (i) Drafting of Plaint by the Law officer. | 750/- per case |

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| | <p>(ii) Drafting of written statement in a case where Govt. is necessary party and effective relief is claimed against Govt.</p> <p>(iii) Reply to injunction application, appointment of court receiver and other effective interim relief.</p> <p>(iv) Application for vacating stay, appointment of Court Commissioner, Court Receiver and such other important reliefs in favour of Govt.</p> <p>(v) Written statement in cases in which the Govt. is made formal party and no effective relief is claimed against the Govt.</p> <p>(vi) Reply to statutory notice u/s. 80 of CPC.</p> <p>(vii) Drafting of Appeal Memo along with application for stay, injunction etc. .</p> <p>(a) Regular appeal filed against the judgment and decree.</p> <p>(b) Miscellaneous Civil Appeal filed against the appealable order.</p> <p>(viii) Any other important application, reply and Affidavit to be filed in any civil proceeding, which are not specifically covered by clause (i) to (vii) above. But shall not include the applications for adjournment, time to file reply, application to summon the witnesses and all such formal applications and reply etc.</p> | <p>600/- per case</p> <p>350/- per case</p> <p>500/- per case</p> <p>150/- per case</p> <p>500/- per case</p> <p>1000/- per case</p> <p>600/- per case</p> <p>300/- per case</p> <p>300/- per case</p> |
| (h) | For appearance in reference to a Civil Court under the Land Acquisition Act 1984;- | <p>As prescribed under Rule 24(1) (A) sub-clause (d) of LOR 1984, which reads as under :-</p> <p>(i) if the amount of compensation is in dispute, his fees shall be calculated on the difference between the amount of compensation awarded by the Collector and the amount of compensation claimed in the reference to the court;</p> <p>(ii) in other cases, including</p> |

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| | | <p>cases not decided on merits, the usual fees as are actually taxed as costs by the concerned court according to law;</p> <p><i>Note.- the fees admissible under sub-clause (i) or (ii) are payable subject to the condition that, not more than Rs. 3000 shall be payable in a single case and not more than Rs. 5000 shall be payable in group matters where Land Acquisition References or cases are clubbed together or evidence is recorded by the court in one or two cases or the cases disposed of by one common judgment.</i></p> |
| <u>(II) In all Criminal Cases (In Mofussil Courts) -</u> | | |
| | <p>(i) Criminal trial for offences involving u/s. 302, 376(2) (a) to (g) of IPC, cases u/s. 7(1)(d) & 12 r/w 13 under the provision of Prevention of Corruption Act and cases under NDPS Act relating to psychotropic substances such as <i>heroine, charas</i> etc. excluding cases of personal consumption and cases relating of seizure of <i>ganja</i>.</p> | <p>2500/- per day for effective hearing (Max. upto 5 dates of effective hearings i.e. maximum Rs. 12,500 per case)</p> <p>Note. – No fees shall be payable for non-effective dates of hearing.</p> |
| | (iii) Cases for trial under MCOCA Act | <p>4000/- per day for effective hearing (Max. upto 10 dates of effective hearings i.e. maximum Rs. 40,000 per case)</p> <p>Note. – No fees shall be payable for non-effective dates of hearing.</p> |
| | (iv) Session triable cases which are not specifically covered under clause (i) and (ii) as above. | <p>2000/- per day for effective hearing (Max. upto 5 dates of effective hearings i.e. maximum Rs. 10,000 per case)</p> <p>Note. – No fees shall be payable for non-effective dates of hearing.</p> |
| | <p>(iv) Criminal Appeal</p> <p>(a) Criminal appeal arising out of judgment and order passed by assistant session judge.</p> <p>(b) Criminal appeal arising out of major offences i.e. regular criminal appeal.</p> <p>(c) Criminal appeal arising out of petty offences.</p> | <p>2500/- per appeal; irrespective of number of accused involved in the case and dates of hearings.</p> <p>1500/- per appeal; irrespective of number of accused involved in the case and dates of hearings.</p> <p>750/- per appeal; irrespective of number of accused involved in the case and dates of hearings.</p> |

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| | | Note 1. – If more than one appeal has been filed by accused involved in same case and all appeals are heard together and decided by common judgment then only one set of fees shall be payable to law officers in such appeals. |
| | (v) For hearing of regular and anticipatory bail applications;- (a) Offences involving Session triable cases. (b) Offences other than triable by Sessions Court. (c) Transfer, stay or any other applications which is not specifically provided. | 750/- per bail application irrespective of dates of hearings and number of accused involved. 500/- per bail application irrespective of dates of hearings and number of accused involved. 500/- per application |
| | (vi) For appearance before the Court of Judicial Magistrate | 500/- per case |

(III) In Civil and Criminal Cases

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| (a) | (i) Outstation fees, away from Headquarter for official work when directed by RLA or Joint Secretary or Deputy Secretary to Government, Law and Judiciary Department, at Nagpur or Aurangabad as the case may be, (inclusive of D.A.) | 1000/- per day |
| (b) | For submitting to orders of court | 200/- per day |
| (c) | Drafting legal document conveyancing work | 750/- per case |
| <u>(IV) Legal Advice to Government Officers by District Government Pleaders -</u> | | 3000/- per month |

Note (i)- The fees under sub-clauses (I) (II) and (III) shall be payable subject to the conditions that, if two or more cases are conducted during a day not more than Rs.3000 per day shall be payable, irrespective of the number of cases conducted and number of accused involved in the case during that day.

Note (ii)- In case of extra efforts put in by PP or Addl.PP in conduct of sessions trials before the sessions court and succeed in establishing and proving the case of prosecution, on the request made by concerned PP/Addl.PP, the Govt. may order to pay the additional fees to the extent of double the maximum fees provided for the conducted case & payable to the concerned PP/ Addl.PP. The decision of the Government in this behalf shall be final.

Note (iii)- For the purpose of computation of fees, the effective hearing in conduct of trials before sessions court means the date on which charges are framed against accused, recording of evidence, arguments after conclusion of evidence and hearing if any on the point of sentence.

Note (iv)-There will be a monthly ceiling of Rs. 65,000/- for DGP & PP, and Rs. 60,000/- for AGP & APP . The monthly ceiling will not cover the fees admissible for drafting and retainer fee.

STATEMENT 'F'

FEES PAYABLE TO PUBLIC PROSECUTOR/ ADDITIONAL PUBLIPROSECUTOR COURT OF SESSIONS, GREATER BOMBAY

| Sr. No. | Nature of the Cases | Revised Fees (Rs.) |
|------------|---|--|
| | All Criminal Cases : | |
| (i) | Criminal trial in cases involving offences u/s. 302, 376(2) (a) to (g) of IPC, and / or cases involving offences u/s. 7(1)(d) & 12 r/w 13 under the provision of Prevention of Corruption Act and cases under NDPS Act relating to psychotropic substances such as <i>heroine</i> , <i>charas</i> etc. excluding cases of personal consumption and cases relating of seizure of <i>ganja</i> . | 3000/- per day for effective hearing (Max. upto 7 dates of effective hearings i.e. maximum Rs. 21,000 per case) |
| (ii) | Cases for trial under MCOC Act | 4500/- per day for effective hearing (Max. upto 20 dates of effective hearings i.e. Maximum Rs. 90,000 per case) |
| (iii) | Session triable cases not covered under clause (i) and (ii) as above. | 2500/- per day for effective hearing (Max. upto 7 dates of effective hearings i.e. maximum Rs. 17,500 per case) |
| (iv) | Criminal Appeal (a) Criminal appeal arising out of judgment and order passed by assistant session judge. (b) Criminal appeal arising out of major offences i.e. regular criminal appeal. (c) Criminal appeal arising out of petty offences. | 3000/- per appeal; irrespective of number of accused involved in the case and irrespective of number of effective dates of hearings. 2000/- per appeal; irrespective of number of accused involved in the case and irrespective of number of effective dates of hearings. 1000/- per appeal; irrespective of number of accused involved in the case and irrespective of number of effective dates of hearings. |

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| | | <i>Note 1. – If more than one appeal has been filed by accused involved in same case and all appeals are heard together and decided by common judgment then only one set of fees shall be payable in such appeals.</i> |
| (v) | <p>(1) Criminal Revisions / Applications / Appeals:– Criminal Revision Applications / Petitions arising out of orders passed under sec. 125 Cr.P.C. or order of maintenance passed under D.V. Act or any other law. The orders passed under D.V. Act, Negotiable Instrument Act, Restoration Application, Applications relating to Union of India <u>and all other proceedings in which the State Government is a formal party in such applications / appeals / revisions.</u></p> <p>(2) Criminal Revisions filed by the State Govt. or filed against the State Govt. in which the State Govt. is necessary party and likely to be affected by the orders passed in such revision application.</p> | <p>150/- per case for admission as well as final hearing irrespective number of dates of hearings.</p> <p>750/- per case.</p> |
| (vi) | <p>For hearing of regular and anticipatory bail applications;-</p> <p>(a) Offences involving Session triable cases.</p> <p>(b) Offences other than triable by Sessions Court.</p> <p>(c) Transfer, stay or any other applications which is not specifically provided.</p> | <p>750/- per bail application irrespective of dates of hearings and number of accused involved.</p> <p>500/- per bail application irrespective of dates of hearings and number of accused involved.</p> <p>500/- per application</p> |
| (vii) | For appearance in any Criminal case before Court of Metropolitan Magistrate | 800/- per day |
| (viii) | <p>(a) For drafting notice or a complaint under section 199 of the Code of Criminal Procedure</p> <p>(b) For drafting any other complaint</p> | <p>600/- per case</p> <p>500/- per case</p> |

Note : (i) The fees under sub-clauses (i) to (viii) shall be payable subject to the conditions that, if two or more cases are conducted during a day not more than Rs.3500 per day shall be

payable, irrespective of the number of cases conducted and number of accused involved in the case during that day. Provided, that no per day ceiling shall apply in respect of MCOC Act cases.

Note : (ii) In case of extra efforts put in by PP or Addl.PP in conduct of sessions trials before the sessions court and succeed in establishing and proving the case of prosecution, on the request made by concerned PP/Addl.PP, the Government, may in its discretion order to pay the fees to the extent of double the maximum fees provided for the case and payable to the concerned PP/APP. The decision of the Government in this behalf shall be final.

Note : (iii) For the purpose of computation of fees, the effective hearing in conduct of trials before sessions court means the date on which charges are framed against accused, recording of evidence, arguments after conclusion of evidence and hearing if any on the point of sentence.

Note (iv) There will be a monthly ceiling of Rs. 65,000/- for PP, and Rs. 60,000/- for Addl.PP. The monthly ceiling will not cover the fees admissible for drafting and retainer fee.

STATEMENT 'G'

RETAINER PAYABLE TO LAW OFFICERS

| Sr. No. | Post | Revised Fees (Rs.) |
|----------------|---|---------------------------|
| (a) | The Government Pleader & Public Prosecutor, High Court (A.S.), Mumbai. | 10000/- |
| (b) | The Government Pleader, High Court (O.S.), Mumbai | 10000/- |
| (c) | The Government Pleader, High Court (A.S.), (Writ Cell), Mumbai | 10000/- |
| (d) | The Government Pleader & Public Prosecutor, High Court at Nagpur or at Aurangabad | 10000/-each |
| (e) | Government Pleader, City Civil Court, Mumbai | 10000/- |
| (f) | Public Prosecutor, Sessions Court, Greater Mumbai | 10000/- |
| (g) | District Government Pleaders and Public Prosecutors at Thane, Pune, Nagpur, Aurangabad, Nashik, Amravati, i.e. all Divisional Head Quarters. | 7500/-each |
| (h) | District Government Pleaders & Public Prosecutor working at Kolhapur, Satara, Sangli, Solapur, Kolhapur, Alibag, Ratnagiri, Dhule, Jalgaon, Ahmednagar, Parbhani, Beed, Nanded, Osmanabad, Jalna, Latur, Akola, Buldana, Yeotmal, Wardha, Bhandara, Chandrapur, Gondiya and Gadchiroli, | 5000/-each |
| (i) | Government Pleader, Small Cause Court, Mumbai | 2500/- |
| (j) | Chief Presenting Officer, Maharashtra Administrative Tribunal at Mumbai, Nagpur and Aurangabad. | 7500/-each |
| (k) | The main Govt. Advocate appointed by State Govt. to conduct the cases of State Govt. in Supreme Court of India & other Courts at New Delhi. | 10,000/- |

STATEMENT 'H'

FOR APPEARANCES BEFORE THE SUPREME COURT OR OTHER HIGH COURTS

| | | |
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| (A) | <u>Fees for appearance before the Supreme Court or other High Courts</u> | |
| | | Revised Fees (Rs.) |
| | (a) Advocate General | |
| | (i) For hearing in regular matters | 25000/- |
| | (ii) For miscellaneous matters | 10000/- |
| | (b) Government Pleader or Additional Government Pleader- | |
| | (i) For hearing in regular matters | 5000/- |
| (B) | (ii) For miscellaneous matters | 2500/- |
| | (c) Assistant Government Pleader For giving assistance to Advocate General or Special Counsel or A Panel Counsel or Government Pleader or Additional Government Pleader | 3000/- |
| C) | <u>Traveling expenses</u> | |
| | AG-Executive Class or AC First Class by Rail. GP – II-A.C., In emergency Economy Class (low fare) with Prior Permission of P.S. & R.L.A AGP – III-AC by Rail. | |
| C) | <u>Expenses in incidentals, boarding and lodging</u> | |
| | AG- 5,000/- per day GP - 1,500/- per day AGP - 800/- per day. | |
| D) | <u>In case of required halt at New Delhi or other State on account of postponement of the hearing or the date originally fixed for hearing.</u> | |
| | (a) Advocate General | |
| | (i) For hearing in regular matters | 15000/-per day |
| | (ii) For miscellaneous matters | 5000/-per day |
| | (b) Government Pleader or Additional Government Pleader - | |
| | (i) For hearing in regular matters | 2000/-per day |
| | (ii) For miscellaneous matters | 1000/-per day |
| | (c) Assistant Government Pleader For giving assistance to Advocate General or Special Counsel or A Panel Counsel or Government Pleader or Additional Government Pleader | 1500/-per day |
| | Provided that, the Law Officer shall not claim any additional fees during the aforesaid halt if he conducts any other case on behalf of the State or any other private party. So also, if the Govt. accommodation is made available to Advocate General, Government Pleader, Additional Govt. Pleader /Assistant Govt. Pleader no boarding charges shall be payable. | |
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STATEMENT 'I'

FEES PAYABLE TO DISTRICT GOVERNMENT PLEADER / ADDITIONAL GOVT. PLEADER/ ASSISTANT GOVERNMENT PLEADERS, CITY CIVIL COURT, GREATER BOMBAY

| Sr. No. | Nature of case | Revised Fees (Rs.) |
|--------------------|--|---|
| (A) | <u>In All Civil Cases :</u> | |
| | (a) Suits against Government in which effective reliefs are claimed against Government. | As per Rule 22 (a) r/w Rule 28 of L.O.R 1984. Fees actually taxed by the concerned court in the bill of cost, subject to maximum of Rs.25,000/- whichever is less. |
| | (b) Suits and appeals decided on merit in which the Govt. is a formal or proper party and no effective relief is claimed against the Govt. | 500/- per case for final disposal. |
| | (c) The fees for opposing application by indigent persons. | 500/- per case |
| | (d) Filing appearance and submitting to orders of Court. | 300/- per case |
| | (e) Cases under section 19 of the Indian Forests Act, 1927. | 750/- per case |
| (B) | Drafting charges : | |
| | (i) Drafting of Complaint by the Law officer. | 1000/- per case for GP. 750/- per case for Addl. /Asstt. Govt. Pleader |
| | (ii) Drafting of written statement in a case where Govt. is necessary party and effective relief is claimed against Govt. | 750/- per case for GP. 600/-/- per case for Addl. / Asstt. Govt. Pleader |
| | (iii) Reply to injunction application, appointment of court receiver and other effective interim relief. | 500/- per case. |
| | (iv) Application for vacating stay, appointment of Court Commissioner, Court Receiver and such other important reliefs in favour of Govt. | 500/- per case. |
| | (v) Written statement in cases in which the Govt. is made formal party and no effective relief is claimed against the Govt. | 150/- per case |
| | (vi) Reply to statutory notice u/s. 80 of CPC. | 350/- per case. |
| | (vii) Misc. Appeal under Bombay Govt. Premises Eviction Act | 2000/- per case for GP 1500/- per case for Addl.GP /Asstt. G.P. |

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| (C) | <p>Interim Applications :</p> <p>(i) Notice of Motion</p> <p>(ii) Chamber Summons</p> <p>(iii) Any other important application, reply and Affidavit to be filed in any civil proceeding, which are not specifically covered by clause (i) to (vii) above. But shall not include the applications for adjournment, time to file reply, application to summon the witnesses and all such formal applications and reply etc.</p> | <p>900/- per case for GP 750/- per case for Addl.GP /Asstt.GP</p> <p>350/-per case for GP 250/- per case for Addl.GP/Asstt.G.P.</p> <p>Note : - The rates mentioned above are in cases in which the Govt. is main party to the proceeding and effective reliefs are claimed against Govt.</p> <p>200/- per case.</p> |
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Note : There will be a monthly ceiling of Rs. 70,000/- for DGP and Rs. 60,000/- for Addl.GP & AGP . The monthly ceiling will not cover the fees admissible for drafting and retainer fee.

STATEMENT “J”

FEES FOR GOVERNMENT PLEADERS WORKING AT SMALL CAUSES COURT AT BOMBAY

| Sr. No. | Nature of Case | Revised Fees (Rs.) |
|----------------|--|--|
| (1) | In All Civil Cases : | |
| | (a) Suits against Government in which effective reliefs are claimed against Government. | As per Rule 23 r/w Rule 28 of L.O.R 1984. Fees actually taxed by the concerned court in the bill of cost, subject to maximum of Rs.25,000 whichever is less. |
| | (b) Suits and appeals decided on merit in which the Govt. is a formal or proper party and no effective relief is claimed against the Govt. | 300/- per case for final disposal. |
| | (c) Suit for injunction for and against Government; wherein Govt. is main party to proceedings and effective relief is claimed against Government. | 750/- |
| | (d) The fees for opposing application by indigent persons | 300/- |
| | (e) Filing appearance and submitting to orders of Court. | 150/- |
| (2) | Drafting charges : | |
| | (i) Drafting of Complaint by the Law officer. | 500/- |
| | (ii) Drafting of written statement in a case where Govt. is necessary party and effective relief is claimed against Govt. | 350/- |
| | (iii) Reply to injunction application, appointment of court receiver and other effective interim relief. | 350/- |
| | (iv) Application for vacating stay, appointment of Court Commissioner, Court Receiver and such other important reliefs in favour of Govt. | 250/- |
| | (v) Written statement in cases in which the Govt. is made formal party and no effective relief is claimed against the Govt. | 150/- |
| | (vi) Reply to statutory notice u/s. 80 of CPC.\ | 250/- |
| | (vii) Civil Appeal under Small Causes Court Act. | 1000/- |

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| (3) | <p>Interim Applications :</p> <p>(i) Notice of Motion</p> <p>(ii) Chamber Summons</p> <p>(iii) Any other important application, reply and Affidavit to be filed in any civil proceeding, which are not specifically covered by clause (i) to (vii) above. But shall not include the applications for adjournment, time to file reply, application to summon the witnesses and all such formal applications and reply etc.</p> | <p>350/-</p> <p>250/-</p> <p>150/-</p> <p>Note : - The rates mentioned above are in cases in which the Govt. is main party to the proceeding and effective reliefs are claimed against Govt.</p> |
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Note : There will be a monthly ceiling of Rs. 35,000/- for GP . The monthly ceiling will not cover the fees admissible for drafting and retainer fee.
